

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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In the Matter of )

New Part 4 of the Commission's Rules )  
Concerning Disruptions to Communications )

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ET Docket No. 04-35

**REPLY COMMENTS OF NENA**

The National Emergency Number Association ("NENA") responds to the comments of others in the captioned proceeding. We support generally the proposed extensions of outage reporting to other services as well as the revisions to wireline carrier reporting requirements.

Outage reporting is critical as a method of analyzing endemic network failure points to permit implementation of controls to address those failures, or to mitigate the impact. That function should continue and should be extended to any telephone service that is used for essential services or has become a significant factor in daily communications. This is particularly true if the service is the primary, or sole, communications technology for a portion of the public.

A number of comments refer to the Network Reliability Steering Committee/Industry-Led Outage Reporting Initiative ("NRSC/ILORI") and its voluntary reporting oversight.<sup>1</sup> Also, the US Department of Homeland Security ("DHS") states that it would support voluntary reporting "upon satisfactory evidence that all service providers are committed to participate fully."

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<sup>1</sup> AT&T, ATIS, BellSouth, Qwest, SBC and Verizon.

NENA is willing to consider some other means than mandatory rules for tracking outages. However, we have some reservations. Several industry commenters suggested that loss of automatic number identification (“ANI”) and automatic location identification (“ALI”) should not be reportable, as they should not be considered “serious degradation” of 9-1-1 service. We disagree. Loss of these critical and essential components of E9-1-1 should be reported to PSAPs on a timely basis, as proposed by the FCC for wireline, wireless and cable, and should be tracked in outage reporting so potential issues/problems can be identified later and dealt with by the industry on a national basis, where appropriate.

According to statistics gathered in an earlier NENA initiative, there are approximately 275 counties out of roughly 3000 in the country that do not have E9-1-1, but support basic 9-1-1. These are mostly rural counties with small populations. A number of the industry filings referred to “many” PSAPs not having E9-1-1. If the above figure of 275 counties is correct, it represents less than 10 per cent of counties and does not warrant the use of the word “many.” E9-1-1, with ANI and ALI, is functioning as an essential emergency access service in most of the country. If 9-1-1 outages, including loss of ANI and ALI, are not reported to PSAPs on a timely basis, contingency planning for such events cannot be properly conducted.

We also disagree with the many industry commenters who suggest that 9-1-1 outages affecting less than 30,000 customers should not be reported unless an outage exceeds six hours. We agree with the FCC 30-minute outage reporting standard, with the suggestion that it have a threshold of 100 customers. For smaller outages, we suggest that best practices be encouraged by the FCC for adoption at the state level, which will result in notification of PSAPs of any service failure that disrupts 9-1-1 service to the carrier’s customers. This encouragement should include a guiding principle that the telecommunications carrier should work with the PSAPs in

developing procedures that permit the customers to be notified of alternate ways of requesting emergency services and soliciting assistance from 9-1-1 agencies.

Informing customers can be done a variety of ways using tools readily available to the PSAP, and when done as part of an outage response plan gives those customers an alternative way to access emergency services until phone service is restored. In addition to the public service of assuring access, this process to some degree lowers the urgency for the telecommunications service provider in effecting repairs. If the outage is to be extended over just a few hours, the public safety community may want to take additional measures -- such as adding police patrols in the impacted area -- that can only be done if the PSAPs are notified when the outage is discovered and honestly apprised of repair progress.

Notifying PSAPs of outages also permits asking for the assistance of public safety in outage repair, or even discovering that the PSAP is already aware of the causative agent. It is not uncommon in rural areas to have a cable cut isolate a community. If the technicians who are needed to begin repairs are located within the outage area, it can be difficult to contact them. The PSAP can use its alternate communications resources to assist getting the technician to the scene. For multi-mile cable routes, they can be requested to have field units check for visible activities that may have caused the outage. Situations such as flooded cable vaults can be managed faster with the addition of public resources such as pumps or even by police providing traffic control. Such cooperation is only possible if the carrier contacts the PSAPs asking for assistance.

NENA agrees with Intrado that “a 9-1-1 service outage reporting scheme must account for the multi-layered vendor distribution for 9-1-1 services.” Its proposal that the 9-1-1 services’ provider be responsible for reporting where “downstream reporting responsibilities would be

determined via contractual arrangements among the various service providers” is a potentially useful suggestion, but some standardization of the contractual language might be worthwhile.

As Nextel pointed out, some LEC outages affecting wireless E9-1-1 call delivery may not be initially known by the wireless provider. This highlights the need for a coordinated effort to identify which providers are responsible for (1) reporting such outages and (2) timely notification to PSAPs.

Respectfully submitted,

NENA

By \_\_\_\_\_

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